

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-13214 Joseph Francis Bartholomew

Chapter 11

Adv#: 8:14-01234 Harper et al v. Bartholomew

**#1.00 STATUS CONFERENCE RE: Complaint to determine dischargeability of debt
[11 U.S.C. Section 523(a)(4)]
(cont'd from 7-07-16)**

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
Why no status report?

Tentative for 7/7/16:
Status Conference continued to July 28, 2016 at 11:00 a.m. to coincide with
withdrawal motion.

Tentative for 10/29/15:
See #s 1-3.

Tentative for 3/26/15:
Continue to October 29, 2015 at 10:00 a.m.

Tentative for 11/6/14:
Deadline for completing discovery: February 28, 2015
Last date for filing pre-trial motions: March 16, 2015
Pre-trial conference on: March 26, 2015 at 10:00 a.m.
Joint pre-trial order due per local rules.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Joseph Francis Bartholomew

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Joseph Francis Bartholomew

M Jonathan Hayes

Chapter 11

Defendant(s):

Joseph Francis Bartholomew

Pro Se

Plaintiff(s):

BG&S Management Consultants

Represented By
Alexander J Kessler

Brian Harper

Represented By
Alexander J Kessler

Timothy Harper

Represented By
Alexander J Kessler

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-13214 Joseph Francis Bartholomew

Chapter 11

Adv#: 8:14-01236 McCashin, II et al v. Bartholomew

#2.00 STATUS CONFERENCE RE: Complaint to determine (1) The non-dischargeability of debt and for (2) Damages, including attorneys' fees, costs and other relief [11 U.S.C. Section 523(a)(2)(A), (a)(2)(B), (a)(4) and (a)(6) (con't from 7-07-16)]

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
Why no status report?

Tentative for 7/7/16:
So the arraignment has still not occurred? What is the approximate timeline?
Is the matter to be litigated or not?

Tentative for 10/29/15:
See #1-3, 12, 13.

Tentative for 5/7/15:
In view of recent stay, continue to October 29, 2015 at 10:00 a.m.

Prior Tentative:
Deadline for completing discovery: April 1, 2015
Last date for filing pre-trial motions: April 20, 2015
Pre-trial conference on: May 7, 2015 at 10:00 a.m.
Joint pre-trial order due per local rules.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Joseph Francis Bartholomew

Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Joseph Francis Bartholomew

Chapter 11

M Jonathan Hayes

Defendant(s):

Joseph Francis Bartholomew

Pro Se

Interested Party(s):

Courtesy NEF

Represented By
M Jonathan Hayes

Plaintiff(s):

James McCashin III

Represented By
Benjamin Nachimson

James McCashin II

Represented By
Benjamin Nachimson

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-13214 Joseph Francis Bartholomew

Chapter 11

Adv#: 8:14-01236 McCashin, II et al v. Bartholomew

#3.00 REVIEW HEARING /STATUS CONFERENCE RE: Defendant's Motion to Stay Adversary Action Pending Resolution of Criminal Proceedings (set from motion to stay adversary held on 3-5-15) (cont'd from 7-07-16)

Docket 18

Tentative Ruling:

Tentative for 11/10/16:
Why no updated status report?

Tentative for 7/7/16:
See #4.1. So the arraignment has still not occurred? What is the approximate timeline? Is the matter to be litigated or not?

Tentative for 10/29/15:
See #1-3, 12, 13.

Tentative for 3/5/15:
See #8.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Joseph Francis Bartholomew

Represented By
Dana M Douglas

Defendant(s):

Joseph Francis Bartholomew

Represented By
M Jonathan Hayes

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Joseph Francis Bartholomew

Chapter 11

Interested Party(s):

Courtesy NEF

Represented By
M Jonathan Hayes

Interim Trustee(s):

Mainstreet Limited Ventures, LLC

Represented By
Robert H Dewberry

Plaintiff(s):

James McCashin III

Represented By
Benjamin Nachimson

James McCashin II

Represented By
Benjamin Nachimson

Trustee(s):

John M Wolfe (TR)

Represented By
David M Goodrich

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-13214 Joseph Francis Bartholomew

Chapter 11

Adv#: 8:14-01237 LaPrima Investments LTD et al v. Bartholomew

#4.00 STATUS CONFERENCE RE: First Amended Complaint: (1) To except debt from discharge for false pretenses, false representation, and/or actual fraud pursuant to 11 U.S.C. Section 523(a)(2); (2) to except debt from discharge for willful and malicious injury pursuant to 11 U.S.C. Section 523(a)(6) (con't from 7-07-16)

Docket 33

Tentative Ruling:

Tentative for 11/10/16:
Status?

Tentative for 7/7/16:
Status Conference continued to July 28, 2016 at 11:00 a.m. The parties should be prepared to propose a timeline for disposition of this matter.

Tentative for 10/29/15:
See #1-3, 13, 14.

Tentative for 5/7/15:
Continue to October 29, 2015 at 10:00 a.m.

Prior Tentative:
Deadline for completing discovery: February 1, 2015
Last date for filing pre-trial motions: February 16, 2015
Pre-trial conference on: March 5, 2015 at 10:00 a.m.
Joint pre-trial order due per local rules.

| |
|--------------------------|
| Party Information |
|--------------------------|

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Joseph Francis Bartholomew

Chapter 11

Creditor Atty(s):

John and Pamela Korn

Pro Se

John and Pamela Korn

Pro Se

Debtor(s):

Joseph Francis Bartholomew

Represented By
M Jonathan Hayes

Defendant(s):

Joseph Francis Bartholomew

Pro Se

Interested Party(s):

Courtesy NEF

Represented By
M Jonathan Hayes

Plaintiff(s):

LaPrima Investments LTD

Represented By
Michael B Kushner

John and Pamela Korn

Represented By
Michael B Kushner

Allen Weiss

Represented By
Michael B Kushner

Westdale Construction Co. Limited

Represented By
Michael B Kushner

Browside International Limited

Represented By
Michael B Kushner

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-13214 Joseph Francis Bartholomew

Chapter 11

Adv#: 8:14-01237 LaPrima Investments LTD et al v. Bartholomew

#5.00 REVIEW HEARING/STATUS CONFERENCE RE: Defendant's Motion to Stay Adversary Action Pending Resolution of Criminal Proceedings (set from motion to stay adversary held on 3-5-15) (cont'd from 7-07-16)

Docket 16

Tentative Ruling:

Tentative for 11/10/16:
Nothing new for November 10, 2016 (as of November 1, 2016). Stay dissolved on July 7, 2016. Off calendar?

Tentative for 7/7/16:
So without a Status Report, the court is at a loss. Will this matter be litigated or not?

Tentative for 10/29/15:
See #1-3, 13, 14, 15.

Tentative for 3/5/15:
See #8.

| |
|--------------------------|
| Party Information |
|--------------------------|

Creditor Atty(s):

John and Pamela Korn Pro Se

John and Pamela Korn Pro Se

Debtor(s):

Joseph Francis Bartholomew Represented By

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Joseph Francis Bartholomew

Chapter 11

Dana M Douglas

Defendant(s):

Joseph Francis Bartholomew

Represented By
M Jonathan Hayes
Michael B Kushner

Interested Party(s):

Mainstreet Limited Ventures, LLC

Represented By
Robert H Dewberry

Courtesy NEF

Represented By
M Jonathan Hayes

Plaintiff(s):

Allen Weiss

Represented By
Michael B Kushner
M Jonathan Hayes

John and Pamela Korn

Represented By
Michael B Kushner
M Jonathan Hayes

Browside International Limited

Represented By
Michael B Kushner
M Jonathan Hayes

LaPrima Investments LTD

Represented By
Michael B Kushner
M Jonathan Hayes

Westdale Construction Co. Limited

Represented By
Michael B Kushner
M Jonathan Hayes

Trustee(s):

John M Wolfe (TR)

Represented By
David M Goodrich

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Joseph Francis Bartholomew

Chapter 11

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-13214 Joseph Francis Bartholomew

Chapter 11

Adv#: 8:14-01240 Stevens MD v. Bartholomew

#6.00 STATUS CONFERENCE RE: Complaint: (1) To Determine Debt to be Non-Dischargeable Under 11 USC Section 523 (a)(2); (2) To Determine Debt to be Non-Dischargeable Under 11 USC Section 523 (a)(4); (3) To Determine Debt to be Non-Dischargeable Under 11 USC Section 523 (a)(6)\ (set from s/c held on 11-13-14) (cont'd from 7-07-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
Status?

Tentative for 7/7/16:
Status Conference continued to July 28, 2016 at 11:00 a.m. The court needs a proposal as to how this matter should be scheduled.

Tentative for 10/29/15:
The court will grant one more extension of the stay through a continued status conference on same terms. How long?

Tentative for 3/5/15:
See #12.

Tentative for 11/13/14:
Deadline for completing discovery: February 1, 2015
Last date for filing pre-trial motions: February 16, 2015
Pre-trial conference on: March 5, 2015 at 10:00 a.m.
Joint pre-trial order due per local rules.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Joseph Francis Bartholomew

Chapter 11

Refer to mediation. Order appointing mediator to be lodged by plaintiff within 10 days. One day of mediation to be completed by February 1, 2015.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Joseph Francis Bartholomew

Represented By
M Jonathan Hayes

Defendant(s):

Joseph Frances Bartholomew

Pro Se

Plaintiff(s):

Grant Stevens MD

Represented By
Andrew P Altholz

U.S. Trustee(s):

United States Trustee (SA)

Represented By
Nancy S Goldenberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-13214 Joseph Francis Bartholomew

Chapter 11

Adv#: 8:15-01018 Mainstreet Limited Ventures, LLC v. Bartholomew

#7.00 STATUS CONFERENCE RE: Complaint to Determine Dischargeability of Debt (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)), (68 (Dischargeability - 523(a)(6), willful and malicious injury)) (con'd from 7-07-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
Status?

Tentative for 7/7/16:
Status Conference continued to July 28, 2016 at 11:00 a.m. The court needs a proposal as to how this matter should be scheduled.

Tentative for 10/29/15:
The court will grant one more extension of the stay through a continued status conference on same terms. How long?

Tentative for 4/23/15:
Continue to October 29, 2015 at 10:00 a.m. to assess results of criminal matter.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Joseph Francis Bartholomew

Represented By
Dana M Douglas

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Joseph Francis Bartholomew

Chapter 11

Defendant(s):

Joseph Francis Bartholomew

Pro Se

Interested Party(s):

Courtesy NEF

Represented By
M Jonathan Hayes

Plaintiff(s):

Mainstreet Limited Ventures, LLC

Represented By
Robert H Dewberry

Trustee(s):

John M Wolfe (TR)

Represented By
David M Goodrich

John M Wolfe (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-13214 Joseph Francis Bartholomew

Chapter 11

Adv#: 8:15-01018 Mainstreet Limited Ventures, LLC v. Bartholomew

**#8.00 REVIEW HEARING/STATUS CONFERENCE RE: Defendant's Motion to Stay Adversary Action Pending Resolution of Criminal Proceedings
(set from motion to stay adversary held on 3-5-15) (cont'd from 7-07-16)**

Docket 9

Tentative Ruling:

Tentative for 11/10/16:
Status?

Tentative for 7/7/16:
Continued to July 28, 2016 at 11:00 a.m. The court needs a proposal as to how this matter should be scheduled.

Tentative for 10/29/15:

Same as #1 and 2. How long an extension on same terms?

Tentative for 3/5/15:

This is Debtor/Defendant's motion for a stay of this adversary proceeding until a parallel criminal proceeding is completed. This adversary proceeding was filed on 1/20/15. On 11/20/14, Debtor was arrested on felony charges based on allegations of a scheme to defraud investors. Debtor remains incarcerated and has been denied bail. The complaint in this adversary proceeding asserts claims under section 523(a)(2), (4) and (6) based on what appear to be allegations similar to those in the criminal case. Plaintiff has filed a limited opposition, requesting a status conference in nine months to review the status of the case and that the stay is limited to pursuing discovery, motions not involving testimony of debtor. Debtor's reply states that bankruptcy

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT...

Joseph Francis Bartholomew

Chapter 11

counsel has no access to Debtor and has no standing to agree or disagree with the request to conduct discovery with third parties not involving testimony of debtor.

The Constitution does not require a stay of civil proceedings pending the outcome of parallel criminal proceedings. *Federal Sav. And Loan Ins. Corp. v. Molinaro*, 889 F.2d 899, 902 (9th Cir. 1989). But, a court may decide in its discretion to stay civil proceedings when the interests of justice require it. *Keating v. Office of Thrift Supervision*, 45 F.3d 322, 324 (9th Cir. 1995) citing *Securities & Exchange Comm'n v. Dresser Indus.*, 628 F.2d 1368, 1375 (D.C.Cir.). The decision to stay civil proceedings should be made "in light of the particular circumstances and competing interests involved in the case." *Molinaro*, 889 F.2d at 902. A court should consider the extent to which a defendant's Fifth Amendment rights are implicated. *Id.* The following factors should also be considered: (1) the interest of the plaintiffs in proceeding expeditiously with this litigation or any particular aspect of it, and the potential prejudice to plaintiffs of a delay; (2) the burden which any particular aspect of the proceedings may impose on defendants; (3) the convenience of the court in the management of its cases, and the efficient use of judicial resources; (4) the interests of persons not parties to the civil litigation; and (5) the interest of the public in the pending civil and criminal litigation. *Id.* at 903.

Here, as Plaintiff acknowledges, a stay seems to be appropriate. Debtor is incarcerated and is awaiting trial in his criminal case. Proceeding with this adversary would likely implicate his Fifth Amendment rights. Plaintiff arguably would not be prejudiced by a temporary stay. This case was just filed. If Debtor is convicted, Plaintiff may not need extensive discovery or a trial because it may be able to use collateral estoppel to obtain a nondischargeability judgment. The burden on Debtor if this case is not stayed would be great. According to Mr. Hayes' declaration testimony, communications with Debtor are difficult because he is incarcerated. The convenience of the Court is not really implicated and a stay may result in a more efficient use of judicial resources because this action could potentially be resolved by a summary judgment motion. The interests of persons not parties to the civil litigation and the interests of the public are not implicated by a stay. The stay involves the discharge of

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... **Joseph Francis Bartholomew**

Chapter 11

one particular debt, and really just affects Plaintiff.

Plaintiff asks that the stay be conditioned and that it be able to conduct discovery to determine whether there are third parties who could also be liable for this debt. The conditions appear reasonable, and there is no reason to restrain discovery not involving direct testimony of the debtor.

*Grant conditionally. Schedule review hearing in approximately 9 months.
Discovery involving testimony of only third persons is not stayed.*

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Joseph Francis Bartholomew

Represented By
Dana M Douglas

Defendant(s):

Joseph Francis Bartholomew

Represented By
M Jonathan Hayes

Interested Party(s):

Courtesy NEF

Represented By
M Jonathan Hayes

Plaintiff(s):

Mainstreet Limited Ventures, LLC

Represented By
Robert H Dewberry

Trustee(s):

John M Wolfe (TR)

Represented By
David M Goodrich

John M Wolfe (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-13214 Korn

Chapter 0

Adv#: 8:15-01105 Joseph Francis Bartholomew

#9.00 STATUS CONFERENCE RE: Adversary Complaint: (1) To Except Debt From Discharge For False Pretense, False Representation, and/or Actual Fraud Pursuant To 11 USC §523(a)(2); (2) To Except Debt From Discharge For Willful and Malicious Injury Pursuant To 11 USC §523(2)(6)
(put on cal per order granting judgment entered 7-31-15) (cont'd from 7-07-16)

Docket 0

Tentative Ruling:

Tentative for 11/10/16:
Status?

Tentative for 7/7/16:
Status Conference continued to July 28, 2016 at 11:00 a.m. The court needs a proposal as to how this matter should be scheduled.

Tentative for 10/29/15:
Status of service/default? See # 1-3.

| |
|--------------------------|
| Party Information |
|--------------------------|

Defendant(s):

| | |
|----------------------------|--------|
| Joseph Francis Bartholomew | Pro Se |
| Joseph Francis Bartholomew | Pro Se |

Plaintiff(s):

| | |
|-------------|-------------------------------------|
| John Korn | Represented By Michael B Kushner |
| Pamela Korn | Represented By Michael B Kushner |

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Korn

Chapter 0

John Korn

Represented By
Michael B Kushner

Pamela Korn

Represented By
Michael B Kushner

Trustee(s):

John M Wolfe (TR)

Pro Se

John M Wolfe (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-17146 Susana E. Vagelatos

Chapter 7

Adv#: 8:15-01147 Vagelatos v. Vagelatos

#10.00 STATUS CONFERENCE RE: Complaint to Determine Dischargeability of Debt
Pursuant to 11 U.S.C. Section 523(a)(5) and (a)(15)
(cont'd from 7-28-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:

Status Conference continued to December 15, 2016 at 10:00 a.m. The court expects an updated status report reflecting the state court's judgment and analysis as to how the adversary proceeding is affected.

Tentative for 7/28/16:

Stay pending resolution of domestic relations trial.

Continued status conference on November 10, 2016 at 10:00 a.m.

Tentative for 3/31/16:

Status Conference continued to July 28, 2016 at 10:00 a.m. to allow for disposition of domestic court matter.

Tentative for 12/10/15:

Status conference continued to March 31, 2016 at 10:00 a.m. to allow for completion of trial in domestic court.

Tentative for 7/23/15:

Why no status report?

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Susana E. Vagelatos

Chapter 7

Tentative for 6/25/15:

Status conference continued to July 23, 2015 at 10:00 a.m. In view of settlement efforts underway, continue to a holding date.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Susana E. Vagelatos

Represented By
William R Cumming

Defendant(s):

Susana E. Vagelatos

Pro Se

Plaintiff(s):

John Vagelatos

Represented By
Gary Leibowitz

Trustee(s):

John M Wolfe (TR)

Pro Se

John M Wolfe (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:13-11495 Point Center Financial, Inc.

Chapter 7

Adv#: 8:15-01405 Saxony Land Company v. Grobstein

#11.00 STATUS CONFERENCE RE: Verified Complaint for Declaratory Relief and Quiet Title; Demand for Jury Trial.
(con't from 10-6-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
No tentative.

Tentative for 10/6/16:
The court reads that the parties believe a continued status conference would be appropriate. Should this be in lieu of setting deadlines in early 2017?

Tentative for 6/30/16:
Mediation status?

Tentative for 1/14/16:
Deadline for completing discovery: July 16, 2016
Last date for filing pre-trial motions: July 29, 2016
Pre-trial conference on: August 11, 2016 at 10:00 a.m.
Joint pre-trial order due per local rules.

Refer to mediation. Order appointing mediator to be lodged by plaintiff within 10 days. One day of mediation to be completed by July 1, 2016.

Given that neither side has consented to adjudication by final order of the USBC, is abstention appropriate?

| |
|--------------------------|
| Party Information |
|--------------------------|

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

Debtor(s):

Point Center Financial, Inc.

Represented By
Robert P Goe
Jeffrey S Benice
Carlos F Negrete

Defendant(s):

Howard B Grobstein

Pro Se

Plaintiff(s):

Saxony Land Company

Represented By
Tomas A Ortiz

Trustee(s):

Howard B Grobstein (TR)

Represented By
Rodger M Landau
Roya Zur
Kathy Bazoian Phelps
John P Reitman
Robert G Wilson
Monica Rieder
Jon L Dalberg
Michael G Spector
Peter J Gurfein

Howard B Grobstein (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:15-13008 Anna's Linens, Inc.

Chapter 11

Adv#: 8:15-01438 Anna's Linens, Inc. v. American Textile Company

**#12.00 STATUS CONFERENCE RE: Complaint for: (1) Avoidance and Recovery of Preferential Transfers [11 USC Sections 547(b), 550(a), and 551]; and (2) Disallowance of Any Claims Held by Defendant [11 USC Section 502(d)]
(cont'd from 9-29-16 per order approving stip. ent. 9-08-16)**

Docket 1

***** VACATED *** REASON: CONTINUED TO 12-15-16 AT 10:00 A.M.
PER ORDER APPROVING STIPULATION BETWEEN PLAINTIFF AND
DEFENDANT TO EXTEND RESPONSE DATE TO COMPLAINT AND
CONTINUE STATUS CONFERENCE ENTERED 10-25-16**

Tentative Ruling:

- NONE LISTED -

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Anna's Linens, Inc.

Represented By
David B Golubchik
Lindsey L Smith
Eve H Karasik
John-Patrick M Fritz
Todd M Arnold
Ian Landsberg
Juliet Y Oh

Defendant(s):

American Textile Company

Pro Se

Plaintiff(s):

Anna's Linens, Inc.

Represented By
Irving M Gross

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT...

Anna's Linens, Inc.

Chapter 11

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:15-13008 Anna's Linens, Inc.

Chapter 11

Adv#: 8:15-01446 Anna's Linens, Inc. v. Lifetime Brands, Inc.

#13.00 STATUS CONFERENCE RE: Complaint for: (1) Avoidance and Recovery of Preferential Transfers [11 USC Sections 547(b), 550(a), and 551]; and (2) Disallowance of Any Claims Held by Defendant [11 USC Section 502(d)] (cont'd from 9-28-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
Status Conference continued to February 9, 2017 at 10:00 a.m. to permit settlement preparation.

Tentative for 9/29/16:
Deadline for completing discovery: February 28, 2017
Last date for filing pre-trial motions: March 6, 2017
Pre-trial conference on: March 23, 2017 at 10:00 a.m.
Joint pre-trial order due per local rules.

Tentative for 2/4/16:
Why no status report?

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Anna's Linens, Inc.

Represented By
David B Golubchik
Lindsey L Smith
Eve H Karasik
John-Patrick M Fritz
Todd M Arnold
Ian Landsberg
Juliet Y Oh

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Anna's Linens, Inc.

Chapter 11

Defendant(s):

Lifetime Brands, Inc.

Pro Se

Plaintiff(s):

Anna's Linens, Inc.

Represented By
Irving M Gross

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:15-13008 Anna's Linens, Inc.

Chapter 11

Adv#: 8:15-01447 Anna's Linens, Inc. v. Revere Mills International Group, Inc.

#14.00 STATUS CONFERENCE RE: Complaint for: (1) Avoidance and Recovery of Preferential Transfers [11 USC Sections 547(b), 550(a), and 551]; and (2) Disallowance of Any Claims Held by Defendant [11 USC Section 502(d)] (cont'd from 8-25-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
Status Conference continued to February 9, 2017 at 10:00 a.m.

Tentative for 8/25/16:
Status conference continued to November 10, 2016 at 10:00 a.m. to accomodate documentation of settlement.

Tentative for 5/12/16:
Status conference continued to August 25, 2016 at 10:00 a.m.

Tentative for 2/4/16:
Why no status report?

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Anna's Linens, Inc.

Represented By
David B Golubchik
Lindsey L Smith
Eve H Karasik
John-Patrick M Fritz
Todd M Arnold
Ian Landsberg

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Anna's Linens, Inc.

Chapter 11

Juliet Y Oh

Defendant(s):

Revere Mills International Group,

Pro Se

Plaintiff(s):

Anna's Linens, Inc.

Represented By
Irving M Gross

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:13-11495 Point Center Financial, Inc.

Chapter 7

Adv#: 8:16-01042 Howard Grobstein, as Chapter 7 trustee v. POINT CENTER MORTGAGE

#15.00 STATUS CONFERENCE RE: Complaint for Avoidance and Recovery of
Fraudulent Transfers or, in the Alternative, Avoidance and Recovery of
Preferential Transfers
(cont'd from 8-25-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
No tentative.

Tentative for 8/25/16:
Status conference continued to November 10, 2016 at 10:00 a.m. with stay of
proceedings extended in interim, per trustee's request.

Tentative for 5/5/16:
Deadline for completing discovery: October 1, 2016
Last date for filing pre-trial motions: October 24, 2016
Pre-trial conference on: November 10, 2016 at 10:00 a.m.
Joint pre-trial order due per local rules.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Point Center Financial, Inc.

Represented By
Robert P Goe
Jeffrey S Benice
Carlos F Negrete

Defendant(s):

POINT CENTER MORTGAGE

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

Plaintiff(s):

Howard Grobstein, as Chapter 7

Represented By
Roye Zur

Trustee(s):

Howard B Grobstein (TR)

Represented By
Rodger M Landau
Roye Zur
Kathy Bazoian Phelps
John P Reitman
Robert G Wilson
Monica Rieder
Jon L Dalberg
Michael G Spector
Peter J Gurfein

Howard B Grobstein (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:15-15824 Michael Frederic Gellerman

Chapter 11

Adv#: 8:16-01186 Gellerman et al v. UNITED STATES OF AMERICA on behalf of the

**#16.00 STATUS CONFERENCE RE: Complaint to Determine Nature and Extent of
Federal Tax Lien**

Docket 1

***** VACATED *** REASON: OFF CALENDAR - NOTICE OF
DISMISSAL OF COMPLAINT FILED 11-02-16**

Tentative Ruling:

- NONE LISTED -

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Michael Frederic Gellerman

Represented By
Michael Jones
Sara Tidd

Defendant(s):

UNITED STATES OF AMERICA

Pro Se

Joint Debtor(s):

Denise Walz Gellerman

Represented By
Michael Jones
Sara Tidd

Plaintiff(s):

Michael Frederic Gellerman

Represented By
Michael Jones

Denise Walz Gellerman

Represented By
Michael Jones

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:13-11495 Point Center Financial, Inc.

Chapter 7

Adv#: 8:16-01043 Howard Grobstein, as Chapter 7 trustee v. Chase Bank USA, N.A., a

#17.00 PRE-TRIAL CONFERENCE RE: Complaint for Avoidance and Recovery of
Fraudulent Transfers
(set from s/c hrg held on 5-5-16)

Docket 1

***** VACATED *** REASON: CONTINUED TO 3-23-2017 AT 10:00
A.M. PER ORDER ON STIPULATION TO EXTEND PRE-TRIAL DATES
ENTERED 9-21-16**

Tentative Ruling:

Tentative for 5/5/16:
Deadline for completing discovery: October 1, 2016
Last date for filing pre-trial motions: October 24, 2016
Pre-trial conference on: November 10, 2016 at 10:00 a.m.
Joint pre-trial order due per local rules.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Point Center Financial, Inc.

Represented By
Robert P Goe
Jeffrey S Benice
Carlos F Negrete

Defendant(s):

Chase Bank USA, N.A., a Delaware

Pro Se

Plaintiff(s):

Howard Grobstein, as Chapter 7

Represented By
Royce Zur

Trustee(s):

Howard B Grobstein (TR)

Represented By
Rodger M Landau
Royce Zur

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

Kathy Bazoian Phelps
John P Reitman
Robert G Wilson
Monica Rieder
Jon L Dalberg
Michael G Spector
Peter J Gurfein

Howard B Grobstein (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:14-11655 Zohra Murtaza

Chapter 7

Adv#: 8:14-01199 Slaten et al v. Murtaza

#18.00 PRE-TRIAL CONFERENCE RE: Complaint For Determination of Dischargeability Of Debts Under 11 USC Section 523(a)(19) & 11 USC Section 523(a)(2)(A) and Complaint For Denial Of Discharge Under 11 USC Section 727(a)(3, 11 USC Section 727(a)(4) and 11 USC Section 727(a)(4)(C) (con't from 9-15-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:

Court has signed the joint pre-trial order. Assign trial date.

Tentative for 9/15/16:

The court is disappointed that the parties have not made more of an effort to prepare a joint stipulation. The great bulk of the issues should already be in place from before the appeal. Only state of mind in making representations and in signing schedules would appear to be triable issues according to the BAP. Why cannot a single addendum to that effect be jointly signed?

Continue approximately 45 days to accomplish this.

Tentative for 7/28/16:

Deadline for completing discovery: completed?

Last date for filing pre-trial motions: September 2, 2016

Pre-trial conference on: September 15, 2016 at 10:00 a.m.

Joint pre-trial order due per local rules.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Zohra Murtaza

Represented By
Qais Zafari

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Zohra Murtaza

Chapter 7

Mogeeb Weiss

Defendant(s):

Zohra Murtaza

Represented By
Mogeeb Weiss

Plaintiff(s):

Leslie Sigmund

Represented By
Sally G Sopkin
James A Hayes Jr

Joel Sigmund

Represented By
Sally G Sopkin
James A Hayes Jr

Shelley Slaten

Represented By
Sally G Sopkin
James A Hayes Jr

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey
Kathleen J McCarthy

Thomas H Casey (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:15-11244 Molly Lynn MaGuire

Chapter 7

Adv#: 8:15-01233 MaGuire v. Embry-Riddle Aeronautical University et al

#19.00 PRE-TRIAL CONFERENCE RE: Amended Adversary Complaint
(amended complaint filed 11/16/15)
(set at s/c held 5-26-16)

Docket 34

***** VACATED *** REASON: CONTINUED TO 2-9-2017 AT 10:00 A.M.
PER ORDER APPROVING STIPULATION TO CONTINUE PRE-TRIAL
DATES AND DEADLINES ENTERED 9-8-16**

Tentative Ruling:

Tentative for 5/26/16:
Deadline for completing discovery: October 1, 2016
Last date for filing pre-trial motions: October 17, 2016
Pre-trial conference on: November 10, 2016 at 10:00 a.m.
Joint pre-trial order due per local rules.
Refer to mediation. Order appointing mediator to be lodged by Defendant
ECMC within 10 days. One day of mediation to be completed by October 1,
2016.

| |
|--------------------------|
| Party Information |
|--------------------------|

Creditor Atty(s):

Navient Solutions Inc.

Represented By
Robert S Lampl

Debtor(s):

Molly Lynn MaGuire

Pro Se

Defendant(s):

Educational Credit Management

Represented By
Timothy P Burke

United States Department Of

Pro Se

Embry-Riddle Aeronautical

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... **Molly Lynn MaGuire**
Educational Credit Management

Represented By
Timothy P Burke

Chapter 7

Interested Party(s):

NELNET, INC.

Represented By
Jonathan C Sandler

Plaintiff(s):

Molly Lynn MaGuire

Pro Se

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

Weneta M Kosmala (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:15-13601 Joseph Wayne Shedarowich

Chapter 7

Adv#: 8:15-01429 Marlow v. Shedarowich et al

#20.00 PRE-TRIAL CONFERENCE RE: Complaint to Determine Dischargeability of Debt [11 USC sections 523(a)(2), (6) and 727(a)(2) and (3)]
(cont'd from 10-6-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:

If the parties will upload an order, the court will enter a pre-trial order on the stipulation. Assign trial date.

Tentative for 10/6/16:

Why no pretrial stip/order?

Tentative for 8/4/16:

Where is the joint pre-trial stip/order?

Tentative for 1/28/16:

Deadline for completing discovery: July 1, 2016

Last date for filing pre-trial motions: July 18, 2016

Pre-trial conference on: August 4, 2016 at 10:00 a.m.

Joint pre-trial order due per local rules.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Joseph Wayne Shedarowich

Pro Se

Defendant(s):

Cecilia Loreto Shedarowich

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Joseph Wayne Shedarowich

Chapter 7

Joseph Wayne Shedarowich

Pro Se

Joint Debtor(s):

Cecilia Loreto Shedarowich

Pro Se

Plaintiff(s):

Charlaine Marlow

Represented By
John J Gulino

Trustee(s):

Richard A Marshack (TR)

Pro Se

Richard A Marshack (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:15-14828 John Trung Ngoc Nguyen

Chapter 7

Adv#: 8:16-01001 Western Heritage Insurance Company v. Nguyen

#21.00 PRE-TRIAL CONFERENCE RE: Complaint Objecting to Discharge
(11 U.S.C. Section 727(a)(2)(A); 727(a)(3); 727(a)(4); 727(a)(5))
(set at s/c held 5-26-16)

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 23, 2017 AT
10:00 A.M. PER ORDER APPROVING STIPULATION TO EXTEND
DISCOVERY DEADLINES AND PRE-TRIAL ENTERED 10/7/16**

Tentative Ruling:

Tentative for 5/26/16:

Deadline for completing discovery: October 1, 2016

Last date for filing pre-trial motions: October 17, 2016

Pre-trial conference on: November 10, 2016 at 10:00 a.m.

Joint pre-trial order due per local rules.

Refer to mediation if parties submit a stipulation and order.

Tentative for 3/24/16:

Deadline for completing discovery: August 31, 2016

Last date for filing pre-trial motions: September 12, 2016

Pre-trial conference on: September 29, 2016 at 10:00 a.m.

Joint pre-trial order due per local rules.

Refer to mediation. Order appointing mediator to be lodged by plaintiff within
10 days. One day of mediation to be completed by August 1, 2016.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

John Trung Ngoc Nguyen

Represented By
Nguyen H Nhuan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... John Trung Ngoc Nguyen

Chapter 7

Defendant(s):

John Trung Ngoc Nguyen

Pro Se

Plaintiff(s):

Western Heritage Insurance

Represented By
David S Hagen

Trustee(s):

Richard A Marshack (TR)

Pro Se

Richard A Marshack (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:13-11495 Point Center Financial, Inc.

Chapter 7

Adv#: 8:16-01044 Howard B. Grobstein, Chapter 7 Trustee v. American Express Travel

#22.00 PRE-TRIAL CONFERENCE RE: Complaint for Avoidance and Recovery of
Fraudulent Transfers
(cont'd from s/c hrg held on 5-5-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
Continue to December 8, 2016 at 10:00 a.m.

Tentative for 5/5/16:
Deadline for completing discovery: October 1, 2016
Last date for filing pre-trial motions: October 24, 2016
Pre-trial conference on: November 10, 2016 at 10:00 a.m.
Joint pre-trial order due per local rules.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Point Center Financial, Inc.

Represented By
Robert P Goe
Jeffrey S Benice
Carlos F Negrete

Defendant(s):

| | |
|---------------------------------|--------|
| American Express Centurion Bank | Pro Se |
| American Express Bank, FSB | Pro Se |
| American Express Travel Related | Pro Se |
| American Express Company | Pro Se |

Plaintiff(s):

Howard B. Grobstein, Chapter 7

Represented By
Roye Zur

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

Trustee(s):

Howard B Grobstein (TR)

Represented By
Rodger M Landau
Roye Zur
Kathy Bazoian Phelps
John P Reitman
Robert G Wilson
Monica Rieder
Jon L Dalberg
Michael G Spector
Peter J Gurfein

Howard B Grobstein (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Represented By
Frank Cadigan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:13-11495 Point Center Financial, Inc.

Chapter 7

Adv#: 8:16-01046 Howard B. Grobstein, Chapter 7 Trustee v. Harkey

#23.00 PRE-TRIAL CONFERENCE RE: Complaint for Avoidance and Recovery of Pre-Petition Fraudulent Transfers or, in the Alternative, Avoidance and Recovery of Preferential Transfers
(set from s/c hrg held on 5-5-16)

Docket 1

***** VACATED *** REASON: CONTINUED TO MARCH 16, 2017 AT
10:00 A.M. PER ORDER ON STIPULATION TO EXTEND PRE-TRIAL
DATES ENTERED 9/1/16**

Tentative Ruling:

Tentative for 5/5/16:
Deadline for completing discovery: October 1, 2016
Last date for filing pre-trial motions: October 24, 2016
Pre-trial conference on: November 10, 2016 at 10:00 a.m.
Joint pre-trial order due per local rules.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Point Center Financial, Inc.

Represented By
Robert P Goe
Jeffrey S Benice
Carlos F Negrete

Defendant(s):

Diane L. Harkey

Pro Se

Plaintiff(s):

Howard B. Grobstein, Chapter 7

Represented By
Royce Zur

Trustee(s):

Howard B Grobstein (TR)

Represented By
Rodger M Landau

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

Roye Zur
Kathy Bazoian Phelps
John P Reitman
Robert G Wilson
Monica Rieder
Jon L Dalberg
Michael G Spector
Peter J Gurfein

Howard B Grobstein (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Represented By
Frank Cadigan

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:16-10160 Eric Duane Johnson

Chapter 7

Adv#: 8:16-01111 Sykes v. Johnson

#24.00 PRE-TRIAL CONFERENCE RE: Complaint to Determine Dischargeability of Debt Pursuant to 11 U.S.C. Section 523(a)(2)
(cont'd from 9-28-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
Settled? Is a dismissal appropriate?

Tentative for 9/29/16:
Continue to November 10, 2016 at 10:00 a.m. as a holding date.

Tentative for 7/7/16:
Deadline for completing discovery: September 1, 2016
Last day for filing pre-trial motions: September 19, 2016
Pre-Trial Conference: September 29, 2016 at 10:00 a.m.
Joint Pre-Trial Order due pursuant to Local Bankruptcy Rules.
Refer to mediation. Order appointing mediator to be lodged by Plaintiff within 10 days. One day of mediation to be completed by Sept. 1, 2016.

Party Information

Debtor(s):

Eric Duane Johnson

Represented By
Anerio V Altman

Defendant(s):

Eric Duane Johnson

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

CONT... Eric Duane Johnson

Chapter 7

Plaintiff(s):

Leslie W. Sykes

Represented By
Daniel J Cooper

Trustee(s):

Thomas H Casey (TR)

Pro Se

Thomas H Casey (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

10:00 AM

8:16-14196 Ali Maheri

Chapter 13

#24.10 Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate REAL PROPERTY LOCATED AT 26 BAYBERRY, IRVINE, CA .
(OST Signed 11-03-16)

Docket 11

Tentative Ruling:

Opposition due at hearing?

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Ali Maheri

Represented By
Anerio V Altman

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

8:13-20028 Tara Jakubaitis

Chapter 7

Adv#: 8:14-01007 Padilla, III v. Wecosign, Inc., et al

#25.00 Motion to Strike Plaintiff's Motion For Leave To Amend

Docket 105

Tentative Ruling:

Defendants contend that they have been prejudiced by Plaintiff's failure to attach the amended complaint to his Motion for Leave to Amend. Defendants also rely on persuasive authority outside this circuit, arguing that courts have found that it is not an abuse of discretion to deny a motion to amend a complaint if the amended complaint is not filed.

Here, Defendants' arguments appear to have been rendered moot. Plaintiffs filed their first Motion for Leave to Amend on September 20, 2016. Defendants responded by filing this motion on October 7, 2016. On the same day (and less than five minutes apart), Defendant again filed a Motion for Leave to Amend with the amended complaint attached. Thus, any concerns voiced by Defendants are moot. Accordingly, the motion should be denied.

Deny.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Tara Jakubaitis

Represented By

Christopher P Walker

Fritz J Firman

Benjamin R Heston

Defendant(s):

Frank Jakubaitis

Represented By

Fritz J Firman

Tara Jakubaitis

Represented By

Fritz J Firman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... Tara Jakubaitis

Chapter 7

PNC National, Inc.,

Pro Se

Wecesign, Inc.,

Pro Se

Wecesign Services, Inc.,

Pro Se

Plaintiff(s):

Carlos Padilla III

Represented By
Arash Shirdel

Trustee(s):

Richard A Marshack (TR)

Represented By
Arash Shirdel

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

8:14-14529 Paul Edalat

Chapter 7

Adv#: 8:14-01283 Weneta M.A. Kosmala, solely in her capacity as the v. Edalat et al

#26.00 STATUS CONFERENCE RE: Complaint For: (1) Declaratory Relief that the Vehicles are Property of the Estate; (2) Turnover of the Vehicles Pursuant to 11 U.S.C. Section 542(a); (3) Injunctive Relief Related to the Vehicles; (4) Declaratory Relief that the Interests in the Companies and Related Property Pursuant to 11 U.S.C. Section 542(a); (6) Injunctive Relief Related to The Companies; (7) Declaratory Relief that the Memorabilia are Property of The Estate; (8) Turnover of the Memorabilia Pursuant to 11 U.S.C. Section 542(a); and (9) Injunctive Relief Related to The Memorabilia.
(cont from 10-6-16)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:

Stipulation for entry of judgment regarding Mali Saatchi has been filed, with an order approving the stipulation entered on October 12, 2016. Still no disposition regarding O'Gara Coach Beverly Hills and Ed Bilezekchian. Should the case be dismissed as to these parties?

Tentative for 10/6/16:

What is the status regarding parties not involved in latest stipulation? Should the case as to them be dismissed?

Tentative for 7/28/16:

Is this resolved by the recent stipulation?

Tentative for 6/14/16:

Is this moot in view of #4?

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... Paul Edalat

Chapter 7

Tentative for 6/2/16:
See #13.

Tentative for 5/26/16:
Status conference continued to June 2, 2016 at 11:00 a.m. to coincide with
motion for judgment on the pleadings. What is the status on reported
settlement?

Tentative for 12/3/15:
Status conference continued to February 25, 2015 at 10:00 a.m.

Tentative for 10/1/15:
So, is this settled, or not?

Tentative for 7/23/15:
Status?

Tentative for 1/14/15:
Deadline for completing discovery: May 30, 2015
Last date for filing pre-trial motions: June 15, 2015
Pre-trial conference on: June 25, 2015 at 10:00 a.m.
Joint pre-trial order due per local rules.

Refer to mediation. Order appointing mediator to be lodged by plaintiff within
10 days. One day of mediation to be completed by May 1, 2015.

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... Paul Edalat

Chapter 7

Debtor(s):

Paul Edalat

Represented By
Dennis Winters

Defendant(s):

Farah Barghi

Pro Se

Mali Aatchi

Pro Se

Ed Bilezekchian

Pro Se

Paul Edalat

Pro Se

O'Gara Coach Beverly Hills

Pro Se

Plaintiff(s):

Weneta M.A. Kosmala, solely in her

Represented By
Jeffrey I Golden

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

Weneta M Kosmala (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

8:14-14529 Paul Edalat

Chapter 7

Adv#: 8:14-01283 Weneta M.A. Kosmala, solely in her capacity as the v. Edalat et al

#27.00 Order to Show Cause Hearing

Docket 0

Tentative Ruling:

Status?

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Paul Edalat

Represented By
D Edward Hays
Lisa G Salisbury

Defendant(s):

Farah Barghi

Represented By
D Edward Hays
Jeffrey B Smith

Mali Aatchi

Represented By
D Edward Hays
Jeffrey B Smith

Ed Bilezekchian

Pro Se

Paul Edalat

Represented By
D Edward Hays

O'Gara Coach Beverly Hills

Pro Se

Plaintiff(s):

Weneta M.A. Kosmala, solely in her

Represented By
Jeffrey I Golden

Mehdi Khorasani

Represented By
Lee H Durst - SUSPENDED -

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... **Paul Edalat**
MK Investments, Inc

Chapter 7

Represented By
Lee H Durst - SUSPENDED -

Trustee(s):

Weneta M Kosmala (TR)

Represented By
Reem J Bello
Jeffrey I Golden
Faye C Rasch

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

8:13-11495 Point Center Financial, Inc.

Chapter 7

Adv#: 8:16-01160 Raymond E. Ponce, M.D., and Yolanda V. Ponce et al v. Dillon Ave 44,

#28.00 STATUS CONFERENCE RE: Notice of Removal of Action Under 28 U.S.C. Section 1334(b) and 1452(a) and Federal Rule of Bankruptcy Procedure 9027; and Exhibits
(con't from 9-15-16 as to sanctions and explanation)

Docket 1

Tentative Ruling:

Tentative for 11/10/16:
Why no status report? Dismiss?

See #11 - Motion for Remand.

Party Information

Debtor(s):

Point Center Financial, Inc.

Represented By
Robert P Goe
Jeffrey S Benice
Carlos F Negrete

Defendant(s):

Dan J Harkey

Pro Se

Dillon Ave 44, LLC

Pro Se

Plaintiff(s):

Raymond E. Ponce, M.D., and

Pro Se

Harry E Friedman

Pro Se

Sandra S Allen

Pro Se

Tall Cotton, Inc.

Pro Se

Nick Alex Dourbetas and Niki

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

Robin B. Graham and Celia Allen-

Pro Se

Richard Schachter

Pro Se

Trustee(s):

Howard B Grobstein (TR)

Represented By

Rodger M Landau

Roye Zur

Kathy Bazoian Phelps

John P Reitman

Robert G Wilson

Monica Rieder

Jon L Dalberg

Michael G Spector

Peter J Gurfein

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

8:13-11495 Point Center Financial, Inc.

Chapter 7

Adv#: 8:16-01160 Raymond E. Ponce, M.D., and Yolanda V. Ponce et al v. Dillon Ave 44,

#29.00 Order to Show Cause RE: Sanctions Pursuant to 28 U.S.C. Section 1927 and/or
The Court's Inherent Authority

Docket 0

Tentative Ruling:

Raymond E. Ponce, M.D., et al. vs. Dillon Ave 44, LLC, et al., case no. PSC1602796, was initiated by the filing of a Complaint for Appointment of Receiver in Riverside Superior Court on June 13, 2016 (the "Receivership Action"). The Trustee removed the case to this court on June 16, 2016. The Trustee argues that the case was filed without authorization and in order to interfere with matters that were pending before this court at the time. At a hearing on September 15, 2016, the court denied a motion to remand the case and held a status conference. In the status conference the court dismissed the bulk of the case for failure to prosecute and issued this OSC.

Some brief background is in order. The Trustee on May 31, 2016 filed his motion in the bankruptcy case seeking confirmation that Debtor is the manager of Dillon Ave 44, LLC ("Dillon") retroactive to the petition date and authorizing him to assume Dillon's operating agreement; a hearing was set for June 21, 2016. This was only necessary because the estate had not timely assumed the management agreement with Dillon and so it was deemed rejected by operation of 11 U.S.C. §365, thus leaving the Trustee's continuing authority in question. Nevertheless, there was substantial support for reinstating the debtor as manager from the members of Dillon as expressed in written consents obtained by Mr. Gomberg. The Receivership Action was filed on June 13, 2016 in the Palm Springs division of the Riverside Superior Court. This was clearly designed to somehow thwart the pending motion and to keep the Trustee from assuming management by installing a receiver instead. Apparently, Mr. Benice's office at the behest of Mr. Harkey orchestrated the filing not only of the Receivership Action, but an *ex parte* stipulated order to appointment of a receiver

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

entered in the Riverside Superior Court on or about June 15. The Superior Court granted the stipulation because it believed it was not contested. Steven Speier was named in the Superior Court's order to act as receiver, but he declined to serve due to a conflict (and according to the Harkey side, under threats from the Trustee). The next day the Receivership Action was removed to this court by the Trustee. The Dillon motion was granted at the hearing on June 21, 2016.

The Trustee argues the Receivership Action was filed without the consent of the ten named plaintiffs or Susanne Cumming, who is listed as counsel on the complaint. Ms. Cumming testifies in her declaration that she never received a retainer agreement from the named plaintiffs; she did not participate in the drafting or preparation of the complaint and saw the complaint for the first time *after* it was filed. [Cumming Declaration, ¶¶ 5-6] Ms. Cumming states that she agreed to sign a joint stipulation to appoint a receiver only because her name was already on the complaint and Mr. Benice represented that the parties had agreed to her representation. [Id. at ¶ 7] Ms. Cumming has never met any of the plaintiffs or Mr. Harkey. [Id. at ¶ 8] Ms. Cumming states that she had wanted to substitute out of the case but could not after it was removed and that her attempts to discuss substituting out of the case with Mr. Benice have been ignored. [Id. at ¶14] In exchange for her cooperation with providing a declaration and returning the \$1,500 she was paid by Dillon, the Trustee has agreed not to pursue sanctions against Ms. Cumming, although he acknowledges that the final decision belongs to the court. But Ms. Cumming's testimony is undercut substantially by her own billing statement where she indicates that she both discussed the complaint (at least in general terms) with Mr. Benice on 6/8 and that she reviewed the complaint on 6/10 (before it was filed) for which she charged one hour. How this might be consistent with her declaration testimony is unclear. She also describes reviewing and signing the *ex parte* Application for appointment of a receiver on 6/15, for which she charged another hour. See Exhibit "B" to Benice Declaration. She admits to signing the stipulation.

It is also somewhat unclear whether Mr. Benice (or Ms. Cummings) had authority from all of the plaintiffs (or at least anyone but Dr. Ponce) to actually file the

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

complaint. Mr. Harkey appears to have had some email communications with the plaintiffs about the possibility of filing a complaint, but there is only fragmentary evidence that actual approval was ever received or that the plaintiffs knew that Ms. Cumming was being retained to represent them (as opposed, for example, to Ms. Conroy). Dr. Ponce testifies he knew all about it and authorized the filings.

The Trustee argues for heavy sanctions: that Mr. Benice should be ordered to compensate Dillon for all of its fees and costs from May 31, 2016 to entry of a sanctions order, that he should be disbarred for his bad faith conduct and should be ordered to file a copy of any order entered imposing sanctions along with findings in all future proceedings in which he is involved. The Trustee also requests that the court make factual findings regarding Mr. Benice's bad faith and remand the Receivership Action to the Riverside Superior Court to consider whether it wishes to take any disciplinary action. The Trustee offers as authority 28 U.S.C. § 1927 or the court's inherent powers.

Mr. Benice argues that the court does not have subject matter jurisdiction over this proceeding and that the Trustee makes factual misrepresentations. The court has already addressed the issue of its jurisdiction over this case in its tentative on the motion to remand or abstain heard on September 15, 2016. On that occasion the court stated:

This Riverside action is at least "related to" but more probably "arises under" a Title 11 case or at least "arises in" a Title 11 proceeding as well. The fact of the matter is that there is a June 29 order of this court right on point on the Dillon management issue, and the controversy arises largely because of the effect of the "deemed rejected" aspects of 11 U.S.C. §365(d), a question uniquely of Title 11 bankruptcy law.

So, the court has general jurisdiction over this case within the meaning of 28 United States Code.. But the real questions are: (1) whether the court *should* exercise that jurisdiction because most of the arguably offensive behavior occurred in state court proceedings and (2) whether sanctions are indicated for bad faith, vexatious or

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

obstructive behavior under federal law.

28 U.S.C. §1927 is not a sturdy basis for imposing sanctions. First, there is substantial question whether the bankruptcy court is a "Court of the United States" for purposes of this statute. See e.g. *In re Courtesy Inns, Ltd., Inc.*, 40 F. 3d 1084, 1086 (10th Cir. 1994) citing *Perroton v. Gray (In re Perroton)*, 958 F. 2d 889, 893-96 (9th Cir. 1992). Second, federal courts cannot usually sanction under §1927 for conduct occurring only before the state court even where the matter is then later removed to federal court. *GRiD Sys. Corp.v, John Fluke Mfg. Co.*, 41 F. 3d 1318, 1319 (9th Cir. 1994).

But the court's inherent power and/or LBR 2090-2(b) are sturdier bases for sanctions. *Price v. Lehtinen (In re Lehtinen)* 564 F. 3d 1052, 1058 (9th Cir. 2009). A bankruptcy court has the inherent power to sanction bad faith or willful misconduct, even in the absence of express statutory authority. *Id.* citing *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43, 111 S.Ct. 2123 (1991). Before imposing sanctions under its inherent authority, a court must make an explicit finding of bad faith or willful misconduct. *Id.* Because of their potency, the inherent powers must be exercised with restraint and discretion. *Id.* at 1059. A primary aspect of the discretion is the ability to create an appropriate sanction for conduct that abuses the judicial process. *Chambers*, 501 U.S. at 45. A court may assess attorney's fees when a party has "acted in bad faith, vexatiously, wantonly, or for oppressive reasons." *Id.* at 45-46. If a court finds that "fraud has been practiced upon it, or that the very temple of justice has been defiled," it may assess attorney's fees against the party. *Id.* at 46. A court may also assess attorney's fees where a party "shows bad faith by delaying or disrupting the litigation or by hampering enforcement of a court order." *Id.* at 46.

The trouble here is that the court is just not convinced that what was done here was that vexatious or wanton *vis à vis the bankruptcy court*. True, it was a transparent maneuver and an effort to head off the reinstallation of the Trustee as manager of Dillon. But the order obtained under questionable circumstances appointing a receiver was never implemented, and the Receivership Action was promptly removed. So it cannot even really be said that there was interference with an order of this court not

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

yet entered, much less damages therefrom. There is not much question that members of Dillon had a right to recourse for their disputes over rightful management before a court of law, such as the Superior Court. Dillon is not property of the estate, and the only arguable property of the estate involved was the management rights which had, as of these events, ostensibly been rejected for failure to assume under §365. So it is by no means clear that the members of Dillon would have been obligated to seek redress from this court. The hyperbole about installing a receiver so that Messrs. Benice and Harkey could continue stealing money is belied by the very remedy sought, i.e. installation of a receiver whose very job is to preserve estate funds as an arm of the court. No credible evidence is offered that somehow the receiver would have been unable to put a stop to any alleged pilfering.

The more serious charges have to do with attorney misconduct or unethical behavior, such as filing a lawsuit without clear authority of the named plaintiff, or without a retainer agreement, or, allegedly, authorizing persons to file documents using a lawyer's signature and identifying numbers without that lawyer's actual review in advance or at all. But even these issues are disputed factually. At least one point does however concern this court gravely; since when is it proper and ethical to file an action before a court and offer a purported "stipulation" while concealing material issues from that court, such as the pendency not only of this bankruptcy but of a the Trustee's motion to reinstate his management over Dillon to be heard only days later? Or of the fact that a much greater percentage of membership had already undertaken to reinstall the Trustee, yet no effort was made to even notice these parties or to inform the Superior Court of same? Cal. Bus. and Prof. Code § 6068(d) provides:

"It is the duty of an attorney to do all of the following:

(d) To employ, for the purpose of maintaining the causes confided to him or her those means only as are consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law."

Ca. Rules of Prof'l Conduct, Rule 5-200, Rule 5-200 Trial Conduct provides:

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT...

Point Center Financial, Inc.

Chapter 7

"In presenting a matter to a tribunal, a member:

- o (A) Shall employ, for the purpose of maintaining the causes confided to the member such means only as are consistent with truth;
- o (B) Shall not seek to mislead the judge, judicial officer, or jury by an artifice or false statement of fact or law;
- o (C) Shall not intentionally misquote to a tribunal the language of a book, statute, or decision;
- o (D) Shall not, knowing its invalidity, cite as authority a decision that has been overruled or a statute that has been repealed or declared unconstitutional; and
- o (E) Shall not assert personal knowledge of the facts at issue, except when testifying as a witness."

"It is settled that concealment of material facts is just as misleading as explicit false statements, and accordingly, is misconduct calling for discipline." *Di Sabatino v. The State Bar*, 27 Cal. 3d 159, 162-63, (1980).

This court believes the Superior Court may well take umbrage at this behavior, but that is a decision best left to that tribunal. That court to vindicate its own dignity and to enforce the Rules of Conduct governing practice in California, may consider sanctions. But this question should be remanded to the Riverside Superior Court.

Deny. Remand remaining sanctions question to Superior Court.

| |
|--------------------------|
| Party Information |
|--------------------------|

Debtor(s):

Point Center Financial, Inc.

Represented By

Robert P Goe

Jeffrey S Benice

Carlos F Negrete - INACTIVE -

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Thursday, November 10, 2016

Hearing Room

5B

11:00 AM

CONT... Point Center Financial, Inc.

Chapter 7

Defendant(s):

Dan J Harkey Pro Se

Dillon Ave 44, LLC Pro Se

Plaintiff(s):

Robin B. Graham and Celia Allen- Pro Se

Richard Schachter Pro Se

Tall Cotton, Inc. Pro Se

Nick Alex Dourbetas and Niki Pro Se

Raymond E. Ponce, M.D., and
Represented By
Sean A OKeefe

Harry E Friedman Pro Se

Sandra S Allen Pro Se

Trustee(s):

Howard B Grobstein (TR)
Represented By
Rodger M Landau
Roya Zur
Kathy Bazoian Phelps
John P Reitman
Robert G Wilson
Monica Rieder
Jon L Dalberg
Michael G Spector
Peter J Gurfein